

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LORI LEE NOBLE,

Plaintiff,

V.

CAROLYN COLVIN, Acting Commissioner of Social Security,

Defendant.

Case No. 2:13-CV-01416-RSL-BAT

# REPORT AND RECOMMENDATION

Lori Lee Noble brought an action seeking review of the denial of her application for disability benefits. Dkt. 3. The parties have filed a stipulated motion to reverse and remand the case for further administrative proceedings, including a *de novo* hearing, pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 27.

On remand the Administrative Law Judge (“ALJ”) shall offer plaintiff an opportunity for a new hearing, further update the medical record, and issue a new decision. The ALJ shall also:

- (1) Reassess plaintiff's maximum residual functional capacity ("RFC"), including all exertional and non-exertional limitations, and give consideration to all medical opinions of record, including specifically those medical opinions of Carolyn Marquardt, M.D. Frank Li, M.D., Kevin Sloan, M.D., and Gayle Palmer, M.D.;
- (2) Consider all medical source opinions and fashion a complete RFC finding. The

1 ALJ should provide specific reasoning for the weight given to opinion evidence  
2 and discuss the evidentiary basis for conclusions along with an adequate rationale  
3 for either accepting or rejecting probative medical opinions;

4 (3) Reassess plaintiff's credibility;  
5 (4) Include all unrejected work-related limitations in the RFC; and  
6 (5) Reassess at steps 4 and 5, with the assistance of a vocational expert, plaintiff's  
7 work-related limitations on the occupational base ensuring that the vocational  
8 expert is provided a hypothetical that is consistent with the RFC ultimately found.

9 The parties stipulate that Ms. Noble is entitled to reasonable attorney fees pursuant to 28 U.S.C.  
10 § 2412, upon proper request to this Court.

11 The Court has reviewed the motion and record, and recommends the case be  
12 **REVERSED** and **REMANDED** for further administrative proceedings, including a *de novo*  
13 hearing, pursuant to the terms of the parties' stipulated motion. As the parties stipulate to  
14 remand, the Court recommends if this recommendation is adopted, that it be approved  
15 immediately. A proposed order accompanies this Report and Recommendation. The Clerk shall  
16 note the matter for **April 15, 2014**, as ready for the District Judge's review.

17 DATED this 15th day of April, 2014.

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BRIAN A. TSUCHIDA  
United States Magistrate Judge